

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA **07cv6899**

FADWA ABDELHADI
Plaintiff,

v.

MICHAEL CHERTOFF,
AS THE DIRECTOR OF
THE DEPARTMENT OF HOMELAND
SECURITY, ROBERT S. MUELLER,
III, AS THE DIRECTOR OF
FEDERAL BUREAU OF
INVESTIGATIONS
Defendant

JUDGE LINDBERG
MAG. JUDGE BROWN

A# 047355454

DEC 07 2007

FILED

DEC - 7 2007 *10*

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

COMPLAINT FOR MANDAMUS

Plaintiff, FADWA ABDELHADI, by and through, REEM H. ODEH, of the LAW OFFICES OF BRODSKY & ODEH respectfully requests this Court to enter an order directing the Defendant, MICHAEL CHERTOFF, Director of Homeland Security, and ROBERT S. MUELLER, III, Director of the Federal Bureau of Investigations to adjudicate Plaintiff's application for Naturalization for Citizenship for a United States resident. In support of said request, the Plaintiff states as follows:

JURISDICTION AND VENUE

1. The is a civil action brought pursuant to 8 U.S.C. section 1329, and 28 U.S.C. Sections 1331 and 1361 and 1447(b) to redress the deprivation of rights, privileges and immunities secured to Plaintiff, by which statutes jurisdiction is conferred, to compel Defendant to perform a duty Defendant owes to Plaintiff, 5 U.S.C. section 704 also confers jurisdiction.
2. Venue is proper under 28 U.S.C. section 1391(b), since Defendant is the Director of the Bureau of Citizenship and Immigration Services (BCIS), an agency of the United States Government, under the Department of Homeland Security.

PARTIES

3. Plaintiff, FADWA ABDELHADI, is U.S. Legal Permanent Resident, who has passed the test of U.S. history and government and is eligible for U.S. Citizenship.
4. Plaintiff's alien number is **A# 047355454**. Plaintiff is a native and citizen of the country of Palestine. She immigrated to the United States as an immigrant through his U.S. citizen father.
5. Defendant, MICHAEL CHERTOFF, is the Director of the Department of Homeland Security. As such, he is charged with the duty of administration and enforcement of all the functions, powers, and duties of Bureau of Citizenship & Immigration Services, the former INS. Defendant, ROBERT S. MUELLER, III is Director of the Federal of Investigations, and is charged with the duty of administration and enforcement of all the functions, powers,

and duties of the Federal Bureau of Investigations.

CLAIMS FOR RELIEF

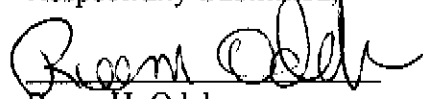
6. On or about April 16, 2007, the Plaintiff appeared for a Naturalization interview before one of the Defendant's officers and passed the naturalization interview and citizenship exam.
7. At the conclusion of the interview, Defendant's agent or employee did not make a decision whether or not to approve Plaintiff's application although Plaintiff had passed the exam.
8. That since the date of the interview, Defendant has yet to adjudicate Plaintiff's pending naturalization application.
9. Since the time of the Plaintiff's interview with the Defendant, the Plaintiff has made numerous oral and written requests of the Defendant concerning a final adjudication of said applications.
10. Despite these inquiries to Defendant, it is Plaintiff's belief that the applications remain unadjudicated.
11. The Defendant, in violation of the Administrative Procedure Act, is unlawfully withholding or unreasonably delaying a decision on the applications of Plaintiff.
12. Plaintiff has exhausted any remedies that may be exist.

WHEREFORE, Plaintiff prays that the Court:

- A. Compel Defendant and those acting under him to perform their duty to rule upon the Plaintiff's applications;
- B. Grant attorney's fees and cost of court
- C. Grant such other and further relief as this Court sees proper under the circumstances.

Law Offices of Brodsky & Odeh
Reem H. Odeh
8 S. Michigan, Suite 3200
Chicago, Illinois 60603
312-701-3000
312-701-3088(fax)

Respectfully Submitted,



Reem H. Odeh
Attorney for Plaintiff

Department of Homeland Security
U.S. Citizenship and Immigration Services

N-652, Naturalization Interview Results

A#: 47 355 454

APR 16 2007

DAVID DANN

On _____, you were interviewed by USCIS officer _____

- ☒ You passed the tests of English and U.S. history and government.
- ☐ You passed the tests of U.S. history and government and the English language requirement was waived.
- ☐ USCIS has accepted your request for a Disability Exception. You are exempted from the requirement to demonstrate English language ability and/or a knowledge of U.S. history and government.
- ☐ You will be given another opportunity to be tested on your ability to _____ speak/_____ read/_____ write _____ English.
- ☐ You will be given another opportunity to be tested on your knowledge of U.S. history and government.
- ☐ Please follow the instructions on Form N-14.
- ☐ USCIS will send you a written decision about your application.
- ☐ You did not pass the second and final test of your _____ English ability/_____ knowledge of U.S. history and government. You will not be rescheduled for another interview for this Form N-400. USCIS will send you a written decision about your application.

A) _____ Congratulations! Your application has been recommended for approval. At this time it appears that you have established your eligibility for naturalization. If final approval is granted, you will be notified when and where to report for the Oath Ceremony.

B) ☒ A decision cannot yet be made about your application.

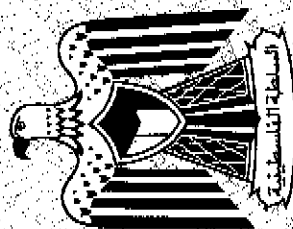
It is very important that you:

- ☒ Notify USCIS if you change your address.
- ☒ Come to any scheduled interview.
- ☒ Submit all requested documents.
- ☒ Send any questions about this application in writing to the officer named above. Include your full name, Alien Registration Number (A#), and a copy of this paper.
- ☒ Go to any Oath Ceremony that you are scheduled to attend.
- ☒ Notify USCIS as soon as possible in writing if you cannot come to any scheduled interview or Oath Ceremony. Include a copy of this paper and a copy of the scheduling notice.

NOTE: Please be advised that under section 336 of the Immigration and Nationality Act, you have the right to request a hearing before an immigration officer if your application is denied, or before the U.S. district court if USCIS has not made a determination on your application within 120 days of the date of your examination.

THE PATENTMAN AUTHORITY

هذا الجواز صادر بناءً على اتفاقية المحكمة الدولية الفلسطينية ونفا لتفكيك الرقعة المظلمة في واشنطن في ١٣ سبتمبر ١٩٩٣. يرجى من ذوي الشأن السماح لطرف هذا الجواز المرفوع بحدوث أي تأخير أو إهملة وعدم الضرورة لحملته وتقديم المساعدة له.



THIS PASSPORT/TRAVEL DOCUMENT IS ISSUED PURSUANT TO THE PALESTINIAN SELF-GOVERNMENT AGREEMENT ACCORDING TO THE OSLO AGREEMENT, SIGNED IN WASHINGTON ON 13/09/1993.

MINISTER OF THE INTERIOR
DIRECTOR GENERAL OF
CIVIL REGISTRATION AND
PASSPORT DEPARTMENT

والمحافظات
عليه عام
وزم الداخلية

PASSPORT جواز سفر
TRAVEL DOCUMENT

1753571

FADWA H. A. ABDALHADI

الإمام كماله

FULL NAME

ADIBA

MOTHER NAME

990738742

990738742

444

14-03-1966

1966-03-14

ID NO:

ALNABISAMOELE

علي بن حمويه

STATE OF NEW YORK

FEMALE

DATE OF BIRTH: 11/11/1947

30-10-2009

2009-10-30

FLAG CRIMINALS

HOUSEWIFE

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